



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

(323) 881-2401

June 2, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**ANNUAL FEES FOR HAZARDOUS WASTE GENERATORS AND HAZARDOUS
MATERIALS HANDLERS FOR FISCAL YEAR 2003-04
(ALL) (3 VOTES)**

**IT IS RECOMMENDED THAT YOUR HONORABLE BOARD ACTING AS THE GOVERNING
BODY OF THE CONSOLIDATED FIRE PROTECTION DISTRICT AFTER THE PUBLIC
HEARING:**

1. Approve the adjustments in annual fees and cost recovery hourly rates for hazardous waste generators and hazardous materials handlers for fiscal year 2003-04 shown on the attached fee schedule, developed in accordance with the annual adjustment provisions of the County Code as delineated in Sections 12.52.070, 12.56.070, 12.60.080, and 12.64.070, and approved by the Auditor-Controller.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER

BRADBURY
CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA

CUDAHY
DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLEN DORA
HAWAIIAN GARDENS

HAWTHORNE
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRVINDALE
LA CANADA-FLINTRIDGE

LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWDALE
LOMITA
LYNWOOD

MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA

POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

The annual fee adjustments established in accordance with provisions established in the County Code will accomplish the following:

1. Adjust the annual fees for the hazardous waste generator and hazardous materials handler programs and the cost recovery hourly rates for emergency responses, site mitigation oversight and risk management plan reviews to allow for changes in program costs brought about by staffing level changes necessary to implement state mandated program requirements, changes in salaries and overhead rates, and the number of regulated facilities falling within each of the established fee categories.
2. Promote full cost recovery for the hazardous waste generator and hazardous materials handler programs.
3. Facilitate the single fee billing process mandated by the Unified Program by establishing fair and equitable fees to be billed for fiscal year 2003-04.

This Department implements the Hazardous Waste Generator, Hazardous Materials Handler, and the California Accidental Release Prevention (Cal-ARP) programs under the auspices of the Unified Program. State Law and County Code allows for the recovery of reasonable and necessary costs to administer these programs. Your Honorable Board established annual fees and annual adjustment provisions for each of these programs to recover the costs of implementation. Cost recovery hourly rates were also established for emergency responses, site mitigation oversight, and risk management plan reviews by this Department. Annual adjustments were also established for these cost recovery rates.

The annual adjustment provisions established in the County Code maintain the same fee methodology as originally established by your Honorable Board. The adjustments incorporate changes in program costs that result from changes in salaries and overhead rates and the number of regulated facilities falling within each established fee category. Similarly, annual adjustment to cost recovery rates reflect changes in Departmental costs to administer those services.

Implementation of Strategic Plan Goals:

Adoption of the proposed annual fees and cost recovery rates for fiscal year 2003-04 will ensure full cost recovery for the hazardous materials/waste programs administered by this Department. Adoption will also facilitate the billing process for the single fee system mandated by the Unified Program. This is consistent with the Los Angeles County Strategic Plan Goal #4 on fiscal responsibility.

FISCAL IMPACT/FINANCING:

The costs of implementation for the proposed fee revisions are negligible and the benefits will include fees that are apportioned in accordance with program costs to ensure full recovery of program implementation costs. Current program costs are fully offset by a combination of fees and direct cost recovery billing for specific services. The proposed revisions in annual fees for the hazardous waste, hazardous materials (disclosure) and Cal-ARP program will continue to allow full recovery of the reasonable and necessary costs to implement the programs.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

The fee revisions will be effective in all areas under the jurisdiction of the Los Angeles County Certified Unified Program Agency (CUPA) for FY 2003-04. The invoices for these facilities will be generated and mailed throughout the fiscal year. The Cities of Los Angeles and Santa Monica will generate annual fee invoices in July 2003 for FY 2003-04 for the hazardous waste generator program and are awaiting any changes in our fee schedule.

California Health and Safety Code, Sections 25404.5(a)(2) and (3), grants authorization to the governing body of the local CUPA to establish fees to recover reasonable and necessary program costs.

The Auditor-Controller has reviewed and approved the cost basis and fee adjustments.

The annual adjustments are exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(8), because they involve fees to recover operating costs.

This request for approval of the revised fees is made after compliance with all public notification and hearing requirements as specified in Section 6062(a) and Section 66018 of the Government Code.

**NOTICE OF PUBLIC HEARING
PROPOSED FEE SCHEDULE**

Notice is hereby given that a public hearing will be held by the Board of Supervisors of the County of Los Angeles regarding adjustments in the annual fees to be paid by businesses generating hazardous waste or handling hazardous materials in Los Angeles County, and the hourly rates to be paid for hazardous material emergency response, site mitigation oversight, and risk management plan review cost recovery programs.

Said hearing will be held on Tuesday, June 24, 2003 at 9:30 a.m. in the Hearing Room of the Board of Supervisors, Room 381B, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012.

The Board of Supervisors will consider and may adopt the fee schedule. Further, notice is given that the Board of Supervisors may continue this hearing from time to time.

Written comments may be sent to the Executive Office of the Board of Supervisors at the above address. If you do not understand this notice or need more information, please call (323) 890-4045.

Si no entiende esta noticia o si necesita mas informacion favor de llamar a este numero (323) 890-4045.

VIOLET VARONA-LUKENS
EXECUTIVE OFFICER – CLERK OF
THE BOARD OF SUPERVISORS